

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TRINITY CROSS, et al.,)	
)	
Plaintiffs,)	
)	Case No.: 4:05CV-772-SNL
vs.)	
)	
DENISE STRITTMATTER, et al.)	
)	
Defendants.)	

MOTION TO SUSPEND CASE MANAGEMENT ORDER DEADLINES

COME NOW the Plaintiffs, by and through their undersigned counsel, and respectfully request suspension of both the case setting for jury trial in the above-captioned matter and other deadlines attendant thereto, as outlined in this Court's Case Management Order (Document No. 203) with reference to the previously entered Case Management Order (Document No. 65).

1. The case is set for jury trial on October 19, 2009, at 9:30 a.m.
2. Not less than 20 days prior to the date set for trial, the attorneys are required to submit to the Court a number of items including, but not limited to, exhibits, request for instructions and forms of verdicts, trial brief.
3. At least ten (10) days before trial, motions in limine shall be filed.
4. The parties participated in Court-ordered Mediation on August 6, 2009. By the end of the day, the parties reached a contingent settlement (explained in Document No. 222). On August 19, 2009, the letter-component described in the terms of settlement was approved by the Board of Police Commissioners.

5. Plaintiffs, under the terms of the Release and Settlement Agreement (hereinafter, "Agreement"), plan to file a formal Stipulation of Prejudicial Dismissal.

6. Counsel for Plaintiffs are in the process of gathering executed copies of the Agreement from each individual Plaintiff.

7. Counsel for Defendants has indicated that the State will not begin to process checks to fulfill the monetary commitments made by Defendants in the Agreement until receipt of a fully executed document. The State's check processing can take up to six (6) weeks.

8. Counsel for Plaintiffs plan to file the Stipulation of Dismissal upon receipt of the checks from the State, representing damages and attorneys fees.

Consequently, Plaintiffs request the Court to suspend all pending deadlines related to the trial schedule in anticipation of Plaintiffs' dismissal of the case immediately upon the State's effecting payment of damages and attorneys fees as specified in the Agreement.

Respectfully submitted,
**CAPES, SOKOL, GOODMAN &
SARACHAN, P.C.**

By: /s/ Gary R. Sarachan
Gary R. Sarachan, #4264
Sheila Greenbaum, #504517
7701 Forsyth Blvd., 12th Floor
St. Louis, Missouri 63105
Telephone: (314) 505-5440
Facsimile: (314) 505-5441
sarachan@capessokol.com
Greenbaum@capessokol.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies a copy of the Motion to Suspend was sent through the Court's electronic system this 4th day of September 2009, to:

Denise L. Thomas, Esq. - Assistant Attorney General
Robert Isaacson – Assistant Attorney General
Attorney General's Office
815 Olive Street, Suite 200
St. Louis, Missouri 63101
E-Mail: denise.thomas@ago.mo.gov

**Attorney for Defendants St. Louis Metropolitan Police Department, Mokwa,
Blansitt, Seever, Engelhardt, Certiotti, Bockstruck, Hall, and Strittmatter**

/s/ Gary Sarachan